

RESPONDING TO PETITION FOR RESIDENTIAL SCHEDULE/PARENTING PLAN/CHILD SUPPORT

**(ACKNOWLEDGEMENT OF PATERNITY FORM HAS BEEN FILED
WITH A STATE CENTER OF HEALTH STATISTICS)**

King County Family Law Facilitators: Instruction # P-5
RCW 26.26; King County Local Family Law Rules (LFLRs)

King County Local Family Law Rules require each party to attend a parenting seminar within 60 days of filing prior to the entry of final orders in this legal action. An information sheet regarding this mandatory seminar is available.

STEP 1: DETERMINE YOUR RESPONSE DEADLINE

The deadline for your response depends on how you were served with the other parent's documents. The deadline for your response is:

- 20 DAYS, if you were personally served in the State of Washington
- 60 DAYS, if you were personally served outside of the State of Washington, or by publication (from date of first publication)
- 90 DAYS from date of mailing, if you were served by mail.

IF YOU DO NOT RESPOND BY THE APPROPRIATE DEADLINE, THE COURT MAY ENTER AN ORDER OF DEFAULT AGAINST YOU AND THE PETITIONER MAY RECEIVE EVERYTHING REQUESTED IN THE PETITION.

If you and the other parent can agree on a Residential Schedule/Parenting Plan and/or Order of Child Support any time prior to your trial date, you can enter an agreed Residential Schedule/Parenting Plan and/or Order of Child Support, together with the agreed Findings of Fact and Judgment, in the Ex Parte Courtroom.

STEP 2: TALK TO AN ATTORNEY, IF POSSIBLE

These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. If you cannot afford to hire an attorney to represent you, you may be able to pay a lawyer to give you advice and review your paperwork for less cost. Contact the King County Bar Association Lawyer Referral Line for information about limited services representation. If you cannot afford these costs, there are limited free legal services available to low-income people. Contact the Facilitators' office for a *Legal Resource List* or the King County Bar Association Lawyer Referral Line for information about resources for low income people

STEP 3: COMPLETE THE REQUIRED FORMS

- [Response to Petition for Residential Schedule/Parenting Plan/Child Support, WPF PS15.0300](#) ([WPF PS 15A.0300](#) if the Petition is based on an Acknowledgement of Paternity filed in another state)
On this form, fill in the caption area at the top of the page with the parties' names and your case number. In Section 1 of the Response, check *admitted*, *denied*, or *lacks information* for each numbered line corresponding to the numbered paragraphs in the other party's petition. On the second page of the Response, explain any item you checked as *denied* or *lacks information*. Complete the rest of the form and sign and date the Response.
- [Residential Schedule \(Proposed\), WPF PS 15.0650](#), or [Parenting Plan \(Proposed\), WPF PS 15.0600](#)
Before signing the final parenting plan, the court will consult the judicial information system and databases, if available, to determine the existence of any information and proceedings that are relevant to the placement of the children.
- [Declaration in Support of Parenting Plan, WPF DR 04-0120](#)
- [Declaration of Mailing or Delivery or Return of Service, WPF DRPSCU 01.0250](#)

If the other party requested that an Order of Child Support be entered, you will also need:

- [Order of Child Support, WPF PS 15.0700](#)
- [Washington State Child Support Worksheet](#) and [Schedule](#)
- [Financial Declaration, WPF DRPSCU 01.1550](#)
- [Sealed Financial Source Documents Cover Sheet, WPF DRPSCU 09.0220](#)

Attach the following to the Sealed Financial Source Cover Sheet:

- Complete tax returns for the prior two years, including all Schedules and all W-2 forms;
- A complete tax return for the year that the prior court order of support was entered;
- All pay stubs showing income for the past 6 months or since January 1st of the calendar year, whichever period is greater. If a party does not receive pay stubs, other documents shall be provided that show all income received from whatever source, and the deductions from earned income for these periods;
- Check registers for the past 6 months shall be supplied within fourteen (14) days if requested by the other party;
- All statements of financial institutions for the past 6 months;
- Complete partnership and corporate tax returns for the past two years together with all schedules and attachments for all partnerships and corporations in which a party's interest is five percent or greater. King County Local Family Law Rules, LFLR 10. [If you have a partnership or corporation see King County Local Family Law Rules, LFLR 10]

STEP 4: MAKE COPIES, FILE WITH THE CLERK, HAVE OTHER PARTY SERVED

Make 2 copies of all forms. If either party is requesting an Order of Child Support and

the children have ever received public assistance, you will need to make 3 copies.

File the originals of the following forms with the Clerk's Office:

- Response to Petition for Residential Schedule/Parenting Plan/Child Support
- Residential Schedule **or** Parenting Plan (Proposed)
- Declaration in Support of Parenting Plan

And, if applicable:

- Washington State Child Support Worksheets
- Financial Declaration
- Sealed Financial Source Documents Cover Sheet with attachments

Serve the other party with one complete set of copies of all forms, except the Return of Service form. You may serve these papers by delivering or mailing them yourself (provided that no order restrains you from having contact). You must respond to the Petition by the deadlines listed in Step One **and** respond to any motions by noon, 4 court days before the hearing. *If you are mailing the documents, mail them at least 3 days before the deadline.* If an attorney has appeared on behalf of the other party, deliver or mail to the attorney instead. After you have delivered or mailed your documents, fill out the Declaration of Mailing or Delivery form. Make one copy of this form for your records and file the original with the Clerk's Office. If you have someone other than yourself, who is 18 years of age or older, serve the other party, that person must complete and sign the Return of Service form. After the server has completed the Return of Service, make one copy for yourself and file the original with the Clerk's Office.

Keep one copy of all forms for your records.

If the children have ever received public assistance, you also need to serve the King County Prosecuting Attorney's Family Support Section with your response documents.

STEP 5: FOLLOW YOUR CASE SCHEDULE
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If you disagree with the information in the Petition, file the Response. You will have a trial in approximately 11 months. Follow the Case Schedule. If you did not receive a Case Schedule from the other party, you can obtain a copy from your file in the Clerk's Office.

The Facilitators cannot provide you with assistance in trial preparation. You are strongly advised to talk to an attorney. Limited instructions for complying with the Case Schedule deadlines and preparing for trial are available from the Facilitators.

<p>WARNING: These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will <u>not</u> guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. You may be able to hire a lawyer for a small fee to review your completed forms and talk about your problem but not represent you in court. If you need a lawyer, contact the Family Law Facilitators' Office for a <i>Legal Resource List</i> or call the King County Bar Association Lawyer Referral Line.</p>
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